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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI`I

ILIO'ULAOKALANI COALITION, a	)	CIVIL NO. 04-00502 DAE BMK
Hawaii, nonprofit corporation;	)	
NA'IMI PONO, a Hawaii	)	
unincorporated association; and	)	NOTICE OF SUBSTITUTION
KIPUKA, a Hawaii unincorporated	)	OF A PARTY; CERTIFICATE OF
association,	)	SERVICE
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ROBERT M. GATES, Secretary of	)	
United States Department of	)	
Defense; and FRANCIS J. HARVEY,	)	
Secretary of the United States	)	
Department of the Army,	)	
	)	
Defendants.	)	

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NOTICE OF SUBSTITUTION OF PARTY

Pursuant to Fed. R. Civ. Pro. 25(d)(1), Federal Defendants hereby provide notice that Donald H. Rumsfeld, former Secretary of Defense, has been replaced by Robert M. Gates as Secretary of Defense. Mr. Gates is, therefore, substituted for Mr. Rumsfeld in the above titled action pursuant to Fed. R. Civ. P. 25(d)(1). Some of the pleadings filed in this matter have recognized this automatic substitution, however, the official caption of the case on the electronic docket does not. Thus, Defendants provide the aforementioned notice, in order to eliminate any possible confusion.

Respectfully submitted this 9<sup>th</sup> day of February, 2007.

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/s/ Thomas A. Helper

By \_\_\_\_\_  
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

'ILIO'ULAOKALANI COALITION, a	)	CIVIL NO. 04-00502 DAE-BMK
Hawai'i nonprofit corporation;	)	
NA 'IMI PONO, a Hawai'i	)	CERTIFICATE OF SERVICE
unincorporated association;	)	
and KIPUKA, a Hawai'i	)	
unincorporated association,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
ROBERT M. GATES, Secretary of	)	
Defense; and FRANCIS J.	)	
HARVEY, Secretary of the	)	
United States Department of	)	
the Army,	)	
	)	
Defendants.	)	
	)	

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

David L. Henkin      [dhenkin@earthjustice.org](mailto:dhenkin@earthjustice.org)

Isaac H. Moriwake    [imoriwake@earthjustice.org](mailto:imoriwake@earthjustice.org)

Attorneys for Plaintiffs

DATED: February 9, 2007, at Honolulu, Hawaii.

/s/ Thomas A. Helper

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